

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOEL VANDERLINDEN,

Plaintiff,

No. 22-11060

v.

Honorable Nancy G. Edmunds

CITY OF WARREN, MAYOR
JAMES FOUTS, JERRY BELL,
and JOHN DOES,

Defendants.

_____ /

ORDER DISMISSING PLAINTIFF'S STATE LAW CLAIMS

Plaintiff Joel Vanderlinden brings this civil rights lawsuit against the City of Warren; its Mayor, James Fouts; a number of Warren police officers ("John Does"); and Jerry Bell. Plaintiff brings federal claims under 42 U.S.C. § 1983 and 42 U.S.C. § 1985 but also brings state law claims for false arrest and malicious prosecution.

Because the parties to this matter are non-diverse, this Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c)(4); *Moor v. Cty. of Alameda*, 411 U.S. 693, 716 (1973); *Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994). Thus, pursuant to § 1367(c), the state law claims in Counts III and V of Plaintiff's complaint are hereby DISMISSED WITHOUT PREJUDICE. The Court will retain jurisdiction over Plaintiff's federal claims only.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: June 3, 2022

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 3, 2022, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager